

Tunbridge Wells Borough Council

Sandhurst Neighbourhood Development Plan - SEA Screening

Strategic Environmental Assessment
Screening Report

Final Report

May 2024



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1 Introduction

1.1 SEA Background

This screening report is designed to determine whether or not the contents of the draft Sandhurst Neighbourhood Development Plan (NDP) requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

In general terms, the NDP seeks to guide the principles for the use of land for housing and business whilst safeguarding and improving valued features of the local environment. The vision statement of the Sandhurst NDP is as follows:

Sandhurst parish in 2038 will be a welcoming, supportive, cohesive, sustainable, strong community, with a café – social hub for all generations at its centre. It will be safe for walking and cycling, with 30mph speed limits on the main and side roads and a school time speed limit of 20mph. It will be wildlife friendly with protected green spaces and a community garden for all ages. There will be fast fibre broadband to every home and business.

The legislative background set out below outlines the regulations that require the need for this screening exercise. Section 3 provides a screening assessment of the likely significant environmental effects of the draft plan and the need for a full SEA.

1.2 Legislative Background

The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC and was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, or SEA Regulations.

This report focuses on screening for SEA and the criteria for establishing whether a full assessment is needed.

2 Assessment

2.1 Overview

The diagram below illustrates the process for screening a planning document to ascertain whether a full SEA is required.

The ODPM publication “A Practical Guide to the Strategic Environmental Assessment Directive” (2005) sets out the approach to be taken in order to determine whether SEA is required.

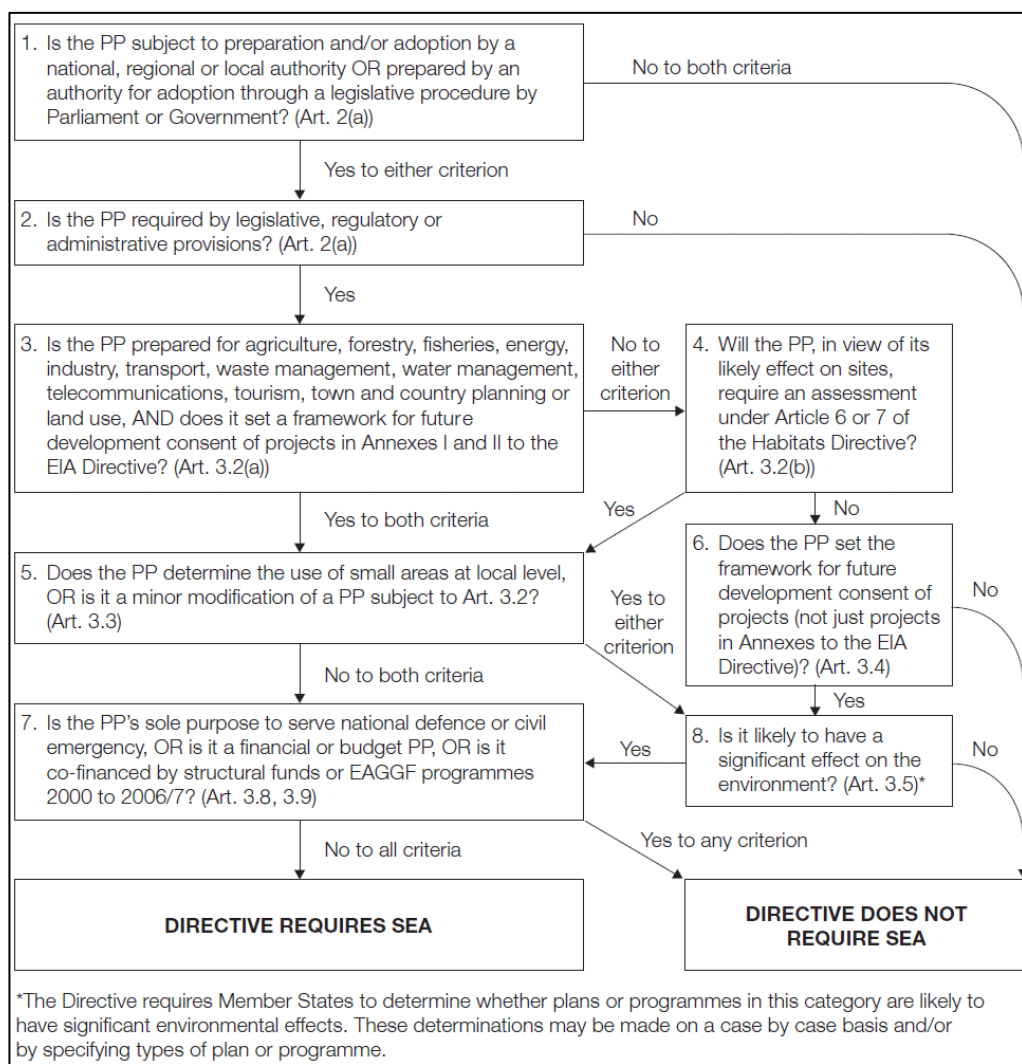


Figure 1. Application of the SEA Directive to plans and programmes (from “A Practical Guide to the Strategic Environmental Assessment Directive”)

This assessment is therefore split into two parts. Part 1 runs the draft plan through the questions outlined in the diagram above and includes commentary on whether the need for SEA is triggered. Part 2 further assesses stage 8, on whether there is a likely significant impact. The screening opinion takes a ‘precautionary approach’ and when it is unclear as to how the Directive may be applied it is assumed that there are possible likely significant effects.

2.2 Part 1 - Application of the Directive to the draft NDP

Table 1. Establishing the need for SEA by following the flowchart in Figure 1.

Stage	Y/N	Justification
1) Is the PP (plan or programme) subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	NDPs are prepared by parish councils under the provision of the Town and Country Planning Act 1990 as amended by the Localism act 2011. GO TO STAGE 2
2) Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	Y	It is not a requirement for a parish to produce an NDP. However, once “made” the plan forms part of the statutory Development Plan and will be used when making decision on planning applications. GO TO STAGE 3
3) Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a))	Y	The NDP is being prepared for town and country planning and land use. The NDP supports allocations in the emerging Tunbridge Wells Local Plan and planning applications for small-scale housing development. It contains a general framework for all future development

Stage	Y/N	Justification
		consent and thus projects which could be listed in Annex II of the EIA Directive. GO TO STAGE 5
4) Will the PP, in view of its likely effects on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))		NOT APPLICABLE
5) Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	The NDP does not allocate land for a specific purpose but does show preference for the type and form of development at local level. GO TO STAGE 8
6) Does the PP set the framework for future development consent of projects (not just projects in annexes to the EIA Directive)? (Art 3.4)		NOT APPLICABLE
7) Is the PP's sole purpose to serve the national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art 3.8, 3.9)		NOT APPLICABLE
8) Is it likely to have a significant effect on the environment? (Art. 3.5)	N	SEE TABLE 2

2.3 Part 2 – Likely significant effects on the environment

Criteria for determining the likely significance of effects referred to in Article 3(5) of Directive 2001/42/EC are set out below, together with a commentary on whether the draft NDP would trigger the need for a full assessment.

Table 2. Assessing Likely Significant Effects (LSE) for the characteristics of plans and programmes, with particular regard to the following criteria.

SEA Directive Criteria	LSE	SEA Directive Criteria
The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources	N	The NDP does not allocate specific land for development but does direct development to general locations such as within the limits to built development.
The degree to which the plan or programme influences other plans and programmes including those in a hierarchy	N	If the NDP is not delivered, the Borough's emerging and existing Local Plan is not affected. The emerging Local Plan is subject to SEA.
The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	N	The NDP basic conditions statement includes reference to the consideration of sustainable development as the plan was being prepared.
Environmental problems relevant to the plan or programme	N	There are no specific environmental problems relevant to this NDP. Impacts upon environmental aspects such as flood risk, ecology and landscape, are considered and no negative outcomes are predicted.
The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste management or water protection)	N	The NDP will not affect implementation of European Community environmental legislation (or those now transcribed in UK law). The Water Framework Directive will need to be taken into account.

Table 3. Assessing Likely Significant Effects (LSE) for the characteristics of the effects and the area likely to be affected, with particular regard to the following criteria.

SEA Directive Criteria	LSE	SEA Directive Criteria
The probability, duration, frequency and reversibility of the effects	N	The NDP does not allocate specific land for development but does direct development to general locations such as within the limits to built development. Some effects such as pollution or flood risk are unknown because they are highly dependent on where development takes place. However, any effects are expected to be managed effectively by the development management process both within this plan and at Tunbridge Wells Borough Council, and are thus considered unlikely to be significant.

SEA Directive Criteria	LSE	SEA Directive Criteria
The cumulative nature of the effects	N	Significant effects are considered unlikely and negative cumulative effects from the NDP are not predicted.
The transboundary nature of the effects	N	Sandhurst lies adjacent to the boundary with Ashford District in Kent and Rother District in East Sussex. However, no significant transboundary effects from the NDP are expected.
The risks to human health or the environment (e.g. due to accidents).	N	The NDP does not create any significant risks to human health or the environment.
The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected).	N	The NDP covers the Parish of Sandhurst comprising of the primary settlement of Sandhurst and numerous small hamlets. Significant effects are not predicted across or outside of this geographical area.
<p>The value and vulnerability of the area likely to be affected due to:</p> <ul style="list-style-type: none"> i. special natural characteristics or cultural heritage, ii. exceeded environmental quality standards or limit values, iii. intensive land-use 	N	<ul style="list-style-type: none"> i. The area covered by the NDP is within the High Weald National Landscape and contains 0 scheduled ancient monuments, 1 Conservation Area and 96 listed buildings. The area is also rural in nature and has a wealth of biodiversity and natural habitats such as the three local wildlife sites within the parish and the areas of ancient woodland across the parish. Additionally, the parish includes parts of the High Weald and Romney Marshes biodiversity opportunity areas. Directing development to general locations such as within the limits to built development and prioritising brownfield land is likely to prevent impact upon the wider landscape but could affect the Conservation Areas or the setting of listed buildings. However, the NDP seeks to prevent these impacts and uphold other policy at Borough and National level to ensure no significant environmental issues are created. Protecting the natural and built environment is one of NDP's objectives. The Borough's emerging Local Plan is subject to its own SEA, which covers the sites allocated through that plan. ii. The NDP is not predicted to exceed standards or environmental limits. iii. The NDP seeks to make efficient use of land by supporting development on brownfield land and more generally directing development to land within the limits to built development, which is

SEA Directive Criteria	LSE	SEA Directive Criteria
		<p>more likely to be in-fill plots and previously developed land.</p>
<p>The effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>N</p>	<p>Whilst there are no areas within Tunbridge Wells Borough that are EC or internationally protected, the Ashdown Forest SPA/SAC European designation is sited in an adjacent authority area (Wealden) which affects the south-west of the Borough. Proposals in this NDP are unlikely to impact upon this designated site as the parish is outside of the 7km zone of influence (as determined by the Habitats Regulations Assessment for the Borough-Level DPD).</p> <p>At national level, the High Weald National Landscape washes over the parish and protection of this unique landscape by various policies is recognised by the NDP. For example, Policy S1 controls development in the countryside in the interests of conserving the National Landscape, and Policy S3 requires proposals to minimise the impact on the natural environment of the National Landscape and adhere to the High Weald Management Plan. This approach complements the ‘great weight’ afforded to the NL at national policy level.</p> <p>Locally, the parish contains three local wildlife sites, two biodiversity opportunity areas and areas of ancient woodland. Policy S7 includes the provision for supporting biodiversity opportunity areas and protecting ancient woodland, whilst generally supporting areas of green and blue infrastructure.</p> <p>There are no SSSIs within the parish. Parts of the parish fall within the impact risk buffer zones for SSSIs outside of the parish, including a risk zone which suggest residential development of 50 units or more, or 10 units or more outside of existing settlements could cause create potential risk to SSSIs. This risk zone is far outside the limits to built development and with minimal developed land to support a scheme of brownfield scheme of 10 or more units. Therefore, Policy S1 includes provision to direct development away from the risk zone.</p>

SEA Directive Criteria	LSE	SEA Directive Criteria
		<p>There are no scheduled ancient monuments within the parish, although, there are four within 1km from the Parish's borders. These are far away from the limits to built development and any areas of developed land. Therefore, the scheduled ancient monuments are unlikely to be affected by any development due to Policy S1.</p> <p>The NDP would support allocations within Tunbridge Wells Borough emerging Local Plan (which is already subject to SEA) and small scale housing only within the limits to built development so risks to the SSSIs and Scheduled Ancient Monuments are deemed minimal.</p> <p>There are areas within the northern and southern sections of the parish within flood zones 2 or 3. These are far away from the limits to built development and with minimal to no developed land. Therefore, these are unlikely to be affected by any development due to Policy S1.</p>
Part 2 Overall Conclusion		The Sandhurst NDP is unlikely to have a significant effect on the environment.

2.4 Screening Outcome

As a result of the assessment in section 3, it is unlikely there will be any significant environmental effects arising from the draft NDP. As such, it does not require a full SEA to be undertaken. This conclusion has been sent to the Environment Agency, Natural England and Historic England for consideration. When responses are obtained, they will be included in Appendix A.

Appendix A

Responses from Statutory Environmental Bodies.

Natural England

From: SM-NE-Consultations (NE)

To: Adam Reguera

Subject: Consultations Response - Sandhurst Neighbourhood Plan - SEA & HRA Screening Consultation

Date: 15 May 2024 07:44:13

Attachments: [image001.jpg](#)

[image004.png](#)

[image003.jpg](#)

[HRA Screening for Consultation - Sandhurst.pdf](#)

[SEA Screening for Consultation - Sandhurst.pdf](#)

[1. Sandhurst Neighbourhood Plan_Draft for SEA HRA Screening_March 2024.pdf](#)

[Annexe A - Neighbourhood Plan.pdf](#)

Please find Natural England's response in relation to the above mentioned consultation below.

Our ref: 472455

Your ref: Sandhurst Neighbourhood Plan

Dear Mr Reguera

Planning consultation: Sandhurst Neighbourhood Plan - SEA & HRA Screening Consultation

Thank you for your consultation on the above dated 11 April 2024.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Further information on when to consult Natural England on planning proposals is here- [Planning and transport authorities: get environmental advice on planning - GOV.UK \(www.gov.uk\)](#)

Natural England is not able to provide specific advice on this application and therefore has no comment to make on its details. Although we have not been able to assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes, we offer the further advice and references to Standing Advice.

Natural England advises Local Planning Authorities to use the following tools to assess the impacts of the proposal on the natural environment:

Impact Risk Zones:

Natural England has provided Local Planning Authorities (LPAs) with Impact Risk Zones (IRZs) which can be used to determine whether the proposal impacts statutory nature conservation sites. Natural England recommends that the LPA uses these IRZs to assess potential impacts. If proposals do not trigger an Impact Risk Zone then Natural England will provide an auto-response email.

Standing Advice:

Natural England has published Standing Advice. Links to standing advice are in Annex A

If after using these tools, you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require Natural England's advice.

Further information on LPA duties relating to protected sites and areas is here- [Protected sites and areas: how to review planning applications - GOV.UK \(www.gov.uk\)](#)

Further guidance is also set out in Planning Practice Guidance on the natural environment [Natural environment - GOV.UK \(www.gov.uk\)](#) and on Habitats Regulations Assessment [Appropriate assessment - GOV.UK \(www.gov.uk\)](#)

Non detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

Should the proposal change, please consult us again.

Yours sincerely

Sally Wintle

Adviser
Operations Delivery, Consultations Team
Natural England
County Hall
Spetchley Road
Worcester
WR5 2NP

Tel 0300 0603900

mail to: consultations@naturalengland.org.uk

www.gov.uk/natural-england

Historic England

Our ref: PL00795651

Your ref: Sandhurst Neighbourhood Plan SEA

Main: 020 7973 3700

e-seast@historicengland.org.uk

Date: 15/04/2024

To whom it may concern

Sandhurst Neighbourhood Plan SEA Screening Opinion

Thank you for inviting Historic England to comment on this consultation. As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. For the purposes of this consultation, Historic England will confine its advice to the question, "Is it (the Sandhurst Neighbourhood Plan) likely to have a significant effect on the historic environment?". Our comments are based on the information supplied.

The information supplied indicates that the plan will not have any significant effects on the historic environment.

On the basis of the information supplied, and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England concurs with the Council that the preparation of a Strategic Environmental Assessment is not required.

The views of the other two statutory consultation bodies should be taken into account before the overall decision on the need for an SEA is made.

I should be pleased if you can send a copy of the determination as required by REG 11 of the Environmental Assessment of Plans and Programmes Regulations 2004.

We should like to stress that this opinion is based on the information provided by you with your correspondence. To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Historic England strongly advises that the conservation and archaeological staff of the relevant local authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), how the allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and

opportunities for securing wider benefits for the future conservation and management of heritage assets.

Please do contact me, via email if you have any queries.

Yours sincerely

Louise Dandy
Historic Places Adviser

Environment Agency

From: [KSLPlanning](#)

To: [Adam Reguera](#)

Subject: RE: SEA Screening Report - Sandhurst NDP

Date: 12 April 2024 12:11:52

Dear Adam,

Thank you for your email. I note the intention of the Neighbourhood Plan Group to proceed with Reg14 consultation in early May. I can confirm we do not comment on strategic environmental assessment (SEA) screening report.

The Environment Agency, together with other bodies in England and Wales, is a statutory consultee in the SEA process. We must be consulted by plan-makers (or "responsible authorities") at certain key stages. We appreciate that a neighbourhood development plan may require a strategic environmental assessment under the Directive and early SEA screening is advised. However, please note that we do not advise on whether the plan falls under the requirements of the SEA Directive. Should the local authority determine that a Neighbourhood Plan does require SEA, we must be consulted on the scope to ensure our key environmental issues are addressed. We can also provide baseline information and data.

Kind regards,
Gabrielle